Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 02/21/18	Bureau/Station/Facility: Central Patrol Division / Century Station	Admin. Invest.? ☑ Hit? ☑

Incident Information

URN: 015-17255-2116-013	Date: 12/12/15	Time: 1059 hrs.
City or Station: Lynwood, CA.	Nature of Incident: Century deputies responded to a priority voiced call of a male black shooting a gun. They arrived and saw the suspect. He turned toward deputies, and the deputies engaged.	
Location: 12131 Long Beach Boulevard		

Location Type (check one or more):
☐ Backyard
☐ Beach
☐ Business
☐ Freeway
☐ Industrial
☐ Park
☐ Parking Lot
☐ Residence
☐ Rural
☐ School
☑ Street
Other: ____

Lighting (check only one):
☐ Darkness
☑ Daylight
☐ Other
☐ Street Lights

Weather (circle only one):
☑ Clear
☐ Cloudy
☐ Fog
☐ Rain

Distance:

Incident Type (check one or more):
☐ Accidental
☑ Armed Person
☐ Fleeing Suspect
☐ Foot Pursuit
☐ Gun Take Away
☐ Moving Vehicle
☐ Sniper/Ambush
☐ Startle
☐ Struggle Involved
☐ Traffic Stop
☐ Unarmed Person
☐ Unintentional
☐ Vehicle Pursuit
☐ Warrant Service
☐ Warning Shot
Other: ____

Initiated by (check only one):
☐ Arrest Warrant
☑ Call
☐ Observation
☐ One Person Unit
☐ Other
☐ Search Warrant
☐ Two Person Unit

Prior Activity (check only one):
☐ Detective
☐ Inmate Transport
☐ Other
☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
16 + 17	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Johnson	Genisha	A	☐ EM ☐ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Veloz	Oscar	E	☐ EM ☐ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Chahine	Nader	H	☐ EM ☐ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
[redacted]	[redacted]				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]	[redacted]		
Last Name	**First Name**	**M.I.**			
[redacted]	[redacted]				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]		[redacted]	
Last Name	**First Name**	**M.I.**			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Chahine	Nader	H	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Veloz	Oscar	E	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Fitzgerald	Regan	P

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Allen	Duane	D

PSTD Use Only

SH # ____

Officer Involved Shooting

URN: 015-17255-2116-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
12/12/15	1415	02/21/18	

Employee #	Last Name	First Name	M.I.
[redacted]	Maldonado	Albert	M
[redacted]	Peacock	Daniel	L
[redacted]	Jordan	James	T

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S-1	E-1	FH	ZZ	45			NN	
S-1	E-2	FH	ZZ	45			NN	
E-1	S-1	FH	BR	9	Y	Y	GS	BK
E-2	S-1	FH	BR	9	Y	Y	GS	BK
S-1	E-1	FH	ZZ	45			NN	
S-1	E-2	FH	ZZ	45			NN	
E-1	S-1	FH	BR	9	Y	Y	GS	LE
E-2	S-1	FH	BR	9	Y	Y	GS	LE

Officer Involved Shooting
Involved Employee Information

URN: 015-17255-2116-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Ochoa-Garcia	First Name: Richard	M.I.
Sex: M Race: H	Rank: Deputy	Unit Assignment: Century	Work Assignment (Unit #, Module, etc.): 212B
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used: N/A
Hospital Admission? ☐	Hospital Name: N/A	Coroner Case? ☐	Coroner Case # — Interviewed? ☑
Hrs of sleep prior to shooting: Unk	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: 28 Height: 600 Weight: 230			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta Caliber 9mm # Shots 17		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name: Tapia	First Name: Jasen	M.I. G
Sex: M Race: H	Rank: Deputy	Unit Assignment: Century	Work Assignment (Unit #, Module, etc.): 212B1
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name: N/A	Coroner Case? ☐	Coroner Case # — Interviewed? ☑
Hrs of sleep prior to shooting: Unk	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: 37 Height: 509 Weight: 180			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta Caliber 9mm # Shots 16		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E _

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name: Robertson	First Name: Nicholas	M.I. D
AKA Last Name:	First Name:	M.I.
Sex: M Race: B	Street Address: [redacted] City: [redacted]	State & Zip Code: [redacted] [redacted]
Work Phone: N/A	Home Phone:	Social Security #:	Driver's License #: [redacted]
Age: 28 D.O.B. 01/09/87	Height: 510 Weight: 190	FBI # [redacted]	CII # [redacted]
Booking # N/A	Primary Charge: N/A	Secondary Charge:
Coroner Case? ☑	Coroner Case # 2015-08552	Intoxication/Drug Usage? ☑	Substance Used: Marijuana/Phencyclidine
Armed? ☑	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☑
Vehicle Make N/A Model: Year:	Parole:	Probation:	Prior Felony Conviction: No

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Deputy Paterno #[redacted]	Giovanni	A.	Century Station - Patrol		323-568-4800	
Sergeant Roman #[redacted]	Anothony	D.	Century Station - Patrol		323-568-4800	
Sergeant Alerich #[redacted]	Michael	J.	Century Station - Patrol		323-568-4800	
Deputy Jimenes #[redacted]	Jesus		Century Station - Patrol		323-568-4800	
Deputy Fitzpatrick #[redacted]	Matthew	J.	Century Station - Patrol		323-568-4800	

INTERNAL AFFAIRS BUREAU

INVESTIGATIVE SUMMARY

SH2391485

INCIDENT:	**On-Duty Hit Shooting**
URN#:	**015-17255-2116-013**
DATE/TIME:	**December 12, 2015 1059 Hours**
LOCATION:	**12131 Long Beach Boulevard, Lynwood, CA.**

SUMMARY

On December 12, 2015, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Albert Maldonado, #[redacted], Sergeant James Jordan, #[redacted], and Sergeant Daniel Peacock, #[redacted], responded to Century Station regarding and on-duty hit shooting.

IAB Lieutenant Maldonado confirmed the watch commander, Lieutenant Duane Allen, #[redacted], took reasonable steps to ensure the involved personnel and witnesses did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators. In addition, IAB Lieutenant Maldonado confirmed the involved personnel gathered in the company of a supervisor until they provided a statement to the assigned investigators.

Detectives Judith Luera, #[redacted], and Timothy O'Quinn, #[redacted], from the Los Angeles County Sheriff's Department Homicide Bureau arrived and assumed control of the investigation. (For further information regarding the shooting investigation refer to homicide case book, under URN #016-13566-1334-055 **[EXHIBIT A]**.)

SYNOPSIS

On December 12, 2015, at approximately 1050 hours, Century Station desk personnel received several 911 calls **[EXHIBIT B]** which advised of a male black, approximately 30 years of age, wearing a blue checkered shirt, was shooting a gun in the air. The call for service **[EXHIBIT C]** was dispatched and voiced via radio to Deputy Richard Ochoa-Garcia (212B), #[redacted] and Deputy Jasen Tapia (212B1) #[redacted]. Deputy Ochoa-Garcia and Deputy Tapia were assigned to day shift patrol, in the Lynwood area of Century Station. Deputy Ochoa-Garcia received the handle on the priority call (T-89) and Deputy Tapia was assigned the assist. While Deputies Ochoa-Garcia and Tapia responded to the area of the call, there were voiced updates regarding the suspect's

location. Based on the updates, Deputy Ochoa-Garcia and Deputy Tapia met on Long Beach Boulevard, south of the suspect's last seen location. People in the area pointed northbound on Long Beach Boulevard indicating the suspect was last seen north of their location. Deputies Ochoa-Garcia and Tapia drove northbound Long Beach Boulevard and saw the suspect (Nicholas Robertson) matching in the description in the call. Suspect Robertson was walking southbound Long Beach Boulevard on the east side sidewalk, north of Magnolia Avenue, with a handgun in his hand. (See Video **[EXHIBIT D, Camera 13 and 14])**

Deputies Ochoa-Garcia and Tapia stopped their individual patrol cars on Long Beach Boulevard facing north. They exited with their handguns drawn and used their patrol vehicle as partial cover. Suspect Robertson stepped off the northeast curb of Long Beach Boulevard and Magnolia Avenue. As Suspect Robertson stepped off the curb onto Long Beach Boulevard, he transitioned the handgun from his left hand to his right hand. Suspect Robertson waived his left hand in an up and down motion toward the armed deputies in disregard. Suspect Robertson walked westbound across Long Beach Boulevard. Deputies Ochoa-Garcia and Tapia yelled commands to drop the gun and get on the ground. Suspect Robertson ignored all of Deputy Ochoa-Garcia and Deputy Tapia's verbal commands. As Suspect Robertson walked westbound across Long Beach Boulevard approaching the west curb line, he transitioned the handgun back into his left hand. While walking across Long Beach Boulevard, Suspect Robertson erratically swung both of his arms (See video **[EXHIBIT D, Camera 13 and 14]).**

Once Suspect Robertson reached the west curb line of Long Beach Boulevard, he stepped onto the sidewalk and veered in a northwest direction. The business located on the northwest corner, was an Arco gas station. Suspect Robertson walked toward the gas pumps and mini mart occupied by several pedestrians. While walking in a northwest direction, with the handgun is his left hand, Suspect Robertson turned his torso and head to his right and looked in the direction of Deputy Ochoa-Garcia and Deputy Tapia. While turning, Suspect Robertson momentarily raised his left hand, holding the handgun, across his torso. Without available cover, Deputies Ochoa-Garcia and Tapia feared for their lives and fired several rounds from their handguns at Suspect Robertson. The distance between Suspect Robertson and the deputies was approximately twenty yards ([redacted] **[EXHIBIT E])**. Suspect Robertson hopped four times in response to the gunfire, then fell to the ground with his head toward the north. Suspect Robertson army crawled northbound. As Suspect Robertson army crawled northbound, with the handgun in his left hand, he rolled his body slight on his left side as he turned slightly to his right **[EXHIBIT E, Camera 14]**. As a result, Suspect Robertson pointed his handgun in the direction of Deputies Ochoa-Garcia and Tapia. Deputies Ochoa-Garcia and Tapia feared for their lives and fired several times at Suspect Robertson. Suspect Robertson continued to army crawl several feet then stopped and became motionless. He stopped in a prone position with his hands and firearm underneath his torso.

IAB Note: Army crawl is when one is in a prone position and utilizes their elbows and inner knees to propel forward motion while staying close to the ground.

Deputy Tapia requested assisting units and paramedics respond via radio. The Fire Department staged north of the scene until the scene was rendered safe.

Additional Century units responded including two field supervisors, Sergeant Nader Chahine (212S) and Sergeant Oscar Veloz (214S). With the guidance of Sergeant Veloz, Deputies formulated a plan to approach the suspect utilizing cover, less lethal and lethal options. The approach team which consisted of Deputies Ochoa-Garcia, Tapia, Giovanni Paterno, Anthony Roman, Genisha Johnson, Michael Alerich, and Sergeant Oscar Veloz, gave several verbal commands to Suspect Robertson to remove his hands from underneath his torso without the gun. Suspect Robertson did not respond.

Deputy personnel approached and handcuffed Suspect Robertson without any resistance. While handcuffing Suspect Robertson, his handgun was exposed. Deputy Paterno kicked the handgun in a north direction away from the suspect's reach. During handcuffing, it was discovered Suspect Robertson held two live .45 caliber rounds in his right hand (See scene Photos **[EXHIBIT F]**.

Once the scene was rendered safe, Los Angeles County Fire Department Station #147 commanded by Captain Ripley treated Suspect Robertson. Suspect Robertson was pronounced deceased at the scene at 1117 hours.

At the direction of Sergeant Chahine and once the scene was rendered safe, Deputy Ochoa-Garcia and Deputy Tapia were transported to Century Station and advised not to discuss the incident.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division, of the Los Angeles County District Attorney's Office, reviewed the fatal shooting of Suspect Robertson by Deputy Richard Ochoa-Garcia and Deputy Jason Tapia. In their letter of opinion **[EXHIBIT G]**, dated April 3, 2017, Deputy District Attorney Shannon Presby concluded Deputies Ochoa-Garcia and Tapia acted in lawful self-defense and in the defense of others.

INVOLVED EMPLOYEE AND WORK HISTORY

Richard Ochoa-Garcia, Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Date of Employment: July 7, 2007
Date Assigned to Patrol/Century: January 25, 2015



Date Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

Equipment Worn On Person

On December 12, 2015, Deputy Ochoa-Garcia was wearing a Class "A" uniform including a Sam Browne duty belt. The equipment on his duty belt included: handcuffs, Oleoresin Capsicum (OC) spray, expandable baton, 9mm duty weapon, two fully loaded Department issued magazines, handheld radio, and keys. He did not have a Taser assigned to him.

INVOLVED EMPLOYEE AND WORK HISTORY

Jasen Tapia, Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Date of Employment: April 23, 2007
Date Assigned to Patrol/Century: April 6, 2014
Date Completed Patrol Training: [redacted]
Prior Shooting Incident(s):
Prior Founded Force Incidents:

Equipment Worn On Person

On December 12, 2015, Deputy Tapia was wearing a Class "A" uniform including a Sam Browne duty belt. The equipment on his duty belt included: three loaded magazines, handcuffs, Oleoresin Capsicum (OC) spray, expandable baton, 9mm duty weapon, handheld radio, and keys. He did not have a Taser assigned to him.

SUSPECT INFORMATION (DECEASED)

Nicholas Deantonio Robertson - Male, Black, DOB: January 9, 1987, 5'10"/ 192

[redacted]
CII #[redacted], FBI #[redacted], CDL #[redacted]

IAB Note: **A copy of Suspect Robertson's Consolidated Criminal History Reporting System is included in the Homicide Case Book [EXHIBIT A, pages 96-107].**

SUSPECT AUTOPSY

On December 16, 2015, a post-mortem examination of Suspect Robertson was performed by Doctor Odey C. Ukpo at the Los Angeles County Coroner's Office. It was

determined Suspect Robertson's death was caused by multiple gunshot wounds. (For Additional see **[EXHIBIT A, pages 136-177]**)

During the course of Suspect Robertson's autopsy, blood was drawn from several areas of the body including the heart. A laboratory summary for toxicology screening **[EXHIBIT A, page 169]** was completed. Suspect Robertson's blood tested positive for marijuana and phencyclidine (PCP).

DEPUTY PERSONNEL INJURIES

No deputies were injured during the course of this incident.

PHYSICAL EVIDENCE

Physical evidence was located and collected by Homicide Detectives Judith Luera, Timothy O'Quinn, Daniel Morris #[redacted], Richard Tomlin #[redacted], Kevin Acebedo #[redacted], and Phillip Martinez #[redacted]. They were assisted by Forensic Identification Specialist Erika Di Palma #[redacted], Deputy Steven Thomas #[redacted], Deputy Steve Woolum #[redacted], Senior Criminalist April Wong #[redacted], and Forensic Identification Specialist II Cynthia Fortier #[redacted] from the Sheriff's Department Scientific Services Bureau. For descriptions of evidence location and collection, see Homicide Case Book **[EXHIBIT A, pages 77-91]**. Also see scene photos of evidence **[EXHIBIT F].**

INVESTIGATOR'S OBSERVATIONS

Internal Affairs Sergeants Daniel Peacock and James Jordan responded to the scene on December 12, 2015, at approximately 1300 hours. Escorted by Homicide, IAB Investigators Sergeant Peacock and Sergeant Jordan walked the area of the intersection of Long Beach Boulevard and Magnolia Avenue, to become familiar with the area where the incident occurred, as well as the involved units' tactical locations.

The scene was described in detail by Homicide Detectives Morris and Tomlin in the Homicide Case Book **[EXHIBIT A, page 41-51]**. Their description of the scene was consistent with the initial IAB Investigators' observations. The scene was also photographed **[EXHIBIT F]** and sketched **[EXHIBIT A, pages 72-73]** by the sheriff's Department Scientific Services Bureau. Compact discs containing aerial photographs of the scene, photographs of involved deputy personnel, coroner's photographs, and scene investigation photos **[EXHIBIT F]** have been included as a permanent record within this IAB case book. Thirty-three expended 9mm casings were recovered from the scene **[EXHIBIT A, Pages 42-44]**. One empty black gun magazine was recovered from the scene **[EXHIBIT A, Page 42]**. A .45 caliber containing no rounds was recovered in close proximity to two live rounds of .45 caliber ammunition **[EXHIBIT F]**.

WEAPON USED BY DEPUTY OCHOA-GARCIA

Deputy Ochoa-Garcia fired seventeen rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS semiautomatic pistol (#BER[redacted]). The firearm was examined by Senior Criminalist Amy Wong of the Scientific Services Bureau Firearms Identification Section and found it to be functional **[EXHIBIT H].**

Date last qualified: [redacted]

WEAPON USED BY DEPUTY TAPIA

Deputy Tapia fired sixteen rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS semiautomatic pistol (#BER[redacted]). The firearm was examined by Senior Criminalist Amy Wong of the Scientific Services Bureau Firearms Identification Section and found it to be functional **[EXHIBIT H]**.

Date last qualified: [redacted]

> **IAB Note:** **Deputies were required to qualify every trimester. A copy of Deputy Ochoa-Garcia's and Deputy Tapia's complete training records, including range qualification scores and dates, were included as a permanent record within this IAB case book [EXHIBIT I].**

WEAPON USED BY SUSPECT ROBERTSON

Suspect Robertson was in possession of an Essex Arms Company .45 Caliber handgun, blue steel with wood grips serial #[redacted] (See scene photos **[EXHIBIT F]**.

PROPERTY DAMAGE **[EXHIBIT A, Pages 85-86]**

Location: 12131 Long Beach Boulevard, Lynwood, California, "Doing Business As" (DBA) Arco gas station.

A tan Chevrolet Blazer, California License #[redacted], registered to [redacted] parked in front of Arco gas station pump #8, had one bullet strike (See damage photos **[EXHIBIT F])**. The bullet strike penetrated the right front fender and struck an interior metal structure.

A penetrating bullet hole to an Arco gas station plastic trash can **[EXHIBIT F]** located between gas pumps #6 and #8.

Four bullet strikes to Arco gas station pump #6 **[EXHIBIT F]**. One struck the octane selection panel and one bullet penetrating hole to its access panel. Pump #6 also sustained two bullet strikes in its platform.

The Arco gas station mini mart east facing exterior wall had four non-penetrating bullet strikes in the stucco **[EXHIBIT F]**. Additionally, Arco gas station property line block wall had 5 non-penetrating bullet strikes **[EXHIBIT F]**. The strikes caused minor damage to the block wall stucco and paint. One bullet strike caused minor damage to the wrought iron gate on top of the wall **[EXHIBIT F]**.

Location: [redacted].

A blue/grey Jeep Commander, California License #[redacted], registered to [redacted], parked along the southern property block wall, had three bullet strikes **[EXHIBIT F]**. One bullet struck the rear cargo door. One bullet struck the rear window and traveled northwest where it impacted it's door interior. One bullet struck the rear seat and traveled northwest through the left rear window.

A white Ford Explorer (paper plates), Vehicle Identification Number [redacted] registered to [redacted], [redacted]. The Ford Explorer was parked immediately to the west of the above Jeep Commander. The Ford Explorer was struck by one bullet **[EXHIBIT F]**. The bullet struck the rear edge of the front passenger door and became lodged.

LIGHTING AND WEATHER CONDITIONS

The incident occurred outdoors in the city of Lynwood, California, at approximately 1059 hours. The weather was clear and warm.

RADIO TRANSMISSIONS

Internal Affairs Bureau Investigators reviewed the Sheriff Communications Center audio **[EXHIBIT J]** of the radio traffic associated with the incident. The following is a brief synopsis of those transmissions:

DISPATCH CHANNEL

1053 hours – Sheriff's Communication Center voiced a Code 3 response needed at [redacted]. 212B and 212B1 acknowledge Code 3 in one minute and two minutes respectively. Call updated suspect male black wearing a blue checkered shirt last seen northbound Alpine from Palm.

1054 hours – Sheriff's Communication Center requested aero bureau to respond, aero unable to respond re: low fuel.

1057 hours – 212B Code 6 re: 417 call.

1059 hours – 10-33 patch requested and opened by 212B. Detaining 417 suspect at gunpoint at Long Beach and Magnolia. 217B enroute. 212S responding.

1100 hours – 998 deputy involved Long Beach and Magnolia.

1101 hours – Fire requested to stage north of location at Long Beach Boulevard and Cedar Avenue.

1102 hours – Advised suspect still has gun in his hand. Request Sam Unit with shield to come in from Magnolia. 212S acknowledged enroute. 212B facing northbound suspect at the Arco gas station, 417 under suspect's body.

1103 hours – 212S 97. Request for traffic to be blocked on northbound Long Beach near Carlin. Block traffic on Magnolia eastbound and westbound.

CENTURY STATION L-TAC

1054 hours – 212B1 meet with 212B east of Palm. Desk update suspect last seen northbound Alpine from Palm and receiving multiple calls for service.

1056 hours – Desk update 417 suspect last seen at Long Beach and Carlin. 212B coordinates 212B1 to west on Carlin and 212T4 to the east on Carlin.

1057 hours - Desk update 417 suspect seen on Carlin and Oak.

1058 hours – Desk update 417 suspect at [redacted] wearing a blue checkered shirt and blue shorts. Suspect has 417 in his hand.

1059 hours – Suspect last seen northbound on Long Beach from Carlin near car wash.

1119 hours – 214S request Century desk to have South Los Angles Station units respond for crowd control. 213B advised CP at Metro parking lot on west side of Long Beach Bl under 105 freeway.

A-TAC 4

Frequency A-Tac 4 was used by Century Station personnel at the command post to coordinate their resources.

SURVEILLANCE VIDEO

During a canvass of the scene, Homicide Bureau investigators discovered commercial businesses with security video cameras that captured portions of the incident. Homicide Bureau investigators recovered video surveillance from Arco gas station **[EXHIBIT E]** and [redacted] Restaurant **[EXHIBIT D]**.

The Arco gas station, located at 12131 Long Beach Boulevard, in the city of Lynwood, had several security cameras which captured different angles of the hit shooting. The following cameras captured different perspectives of the incident.

Arco Camera #6 – Located on east wall of mini mart and faced southeast.
Arco Camera #8 – Located on south wall of mini mart and faced south.
Arco Camera #11 – Located on east facing wall of mini mart and faced southeast.
Arco Camera #13 – Located on north end of gas pump canopy and faced southwest.
Arco Camera #14 – Located on south end of gas pump canopy and faced northeast.
Arco Camera #15 – Located on south end of gas pump canopy and faced northeast.
Arco Camera #16 – Located on north end of gas pump canopy and faced south.

[redacted] located at [redacted] had several security cameras. Only two of the cameras captured portions of the hit shooting. The following cameras caught the incident from slightly different angles.

[redacted] **Camera #14** – Located under eaves to the south of restaurant and faced southwest.
[redacted] **Camera #13** – located under eaves to the southeast of restaurant and faced west.

STATEMENTS

The following narratives are intended only as a summation of the actual interview(s). Additional information and the precise wording may be obtained by reviewing the digitally audio recorded and verbatim transcriptions. IAB investigators reviewed reports authored by the involved deputies.

SWORN PERSONNEL

DEPUTY GENISHA JOHNSON

Homicide Interview

On December 12, 2015, Deputy Genisha Johnson #[redacted], was interviewed by Homicide Detectives Judith Luera and Timothy O'Quinn. The interview was summarized in the Homicide Case Book **[EXHIBIT A, pages 39-40]**.

IAB Interview

On January 26, 2018, Deputy Johnson was interviewed by IAB Sergeants James Jordan and Hank Ortega at the Internal Affairs Bureau office. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Johnson was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. She was assigned as a one person car (212T4) which

patrolled the city of Lynwood. Deputy Johnson had been in patrol approximately six months [redacted] at the time of this incident.

While patrolling, Deputy Johnson heard dispatch radio traffic requesting a Code 3 response to a man with a gun shooting in the air. The suspect was described as a male black wearing a plaid shirt. Deputy Johnson was assigned the assist on the call. She responded to the intersection of Long Beach Boulevard and Magnolia Avenue. Deputy Johnson stopped approximately 200 feet north of the intersection. From her vehicle, Deputy Johnson saw Deputies Ochoa-Garcia and Tapia standing in the middle of Long Beach Boulevard. They had their handguns aimed at a male black (Suspect Robertson), wearing a checkered shirt, holding a handgun. Suspect Robertson was facing east and pointing his firearm at Deputies Ochoa-Garcia and Tapia. Deputy Johnson saw and heard Deputies Ochoa-Garcia and Tapia shoot one volley of approximately thirteen rounds at Suspect Robertson. After the shots, Suspect Robertson fell to the ground with his handgun and one hand underneath him.

Deputy Johnson exited her patrol vehicle and ran southbound Long Beach Boulevard where she sought cover with Deputies Ochoa-Garcia and Tapia behind another patrol vehicle.

After additional personnel arrived, a plan was formulated to approach Suspect Robertson utilizing a shield, less lethal and lethal. Deputy Johnson approached Suspect Robertson with several deputies. Suspect Robertson was handcuffed and his handgun was moved a safe distance from him.

SERGEANT OSCAR VELOZ

IAB Interview

On February 7, 2018 Sergeant Veloz was interviewed by IAB Sergeants James Jordan and John Steele at the Internal Affairs Bureau office. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Sergeant Veloz was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. He was assigned as the field supervisor (214S) in the Willowbrook area. He had been a field supervisor for over two years at the time of the incident.

While at Century Station, Sergeant Veloz heard an emergent call for service of a person with a gun walking on Long Beach Boulevard. Sergeant Veloz responded to the call form the station. While in transit, he heard emergent patch radio traffic that deputies had been involved in a shooting at Long Beach Boulevard and Magnolia Avenue. He responded Code 3. Sergeant Veloz arrived and parked north of the scene.

Sergeant Veloz contacted Deputies Ochoa-Garcia and Tapia who identified the suspect (Suspect Robertson) laying prone near the Arco gas pumps. They advised Sergeant

Veloz Suspect Robertson was still in possession of a gun and he was laying on it under his chest. Sergeant Veloz along with Century deputies formulated a plan for approach and contact, which included a patrol car for cover, less lethal force, and lethal force.

Sergeant Veloz described the scene as chaotic because the crowds formed in two different directions and were acting hostile toward Department personnel. Sergeant Veloz requested additional resources from neighboring stations for crowd control. Sergeant Veloz estimated the crowd size to be approximately 200 people.

Behind the cover of a patrol car, Sergeant Veloz approached with several deputies. During the approach, Suspect Robertson was given verbal commands to show his hands. Suspect Robertson did not move. The deputies approached Suspect Robertson and handcuffed him without any resistance. During the handcuffing process, Suspect Robertson's handgun was exposed. Sergeant Veloz directed one of the deputies to kick the gun away from Suspect Robertson for safety purposes. The gun was kicked a few feet to the north of Suspect Robertson.

Suspect Robertson was patted down for additional weapons and paramedics were immediately summoned.

SERGEANT NADER CHAHINE

IAB Interview

On January 30, 2018, Sergeant Chahine was interviewed by IAB Sergeants James Jordan and John Steele at the Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Sergeant Chahine was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. He was assigned as the field supervisor (212S) in the Lynwood area.

At approximately 1100 hours, Sergeant Chahine heard a voiced emergent call over his radio describing a male black with a gun and firing it randomly in the neighborhood. Sergeant Chahine responded to the area of the call. While in transit, he heard emergent radio traffic that deputies had been involved in a shooting. He upgraded his response to Code 3. Upon his arrival, Sergeant Chahine saw the suspect (Suspect Robertson) laying on his stomach with his head facing north near the Arco gas station gas pumps. Sergeant Chahine did not witness any shots fired. A large crowd began to assemble on the east side of Long Beach Boulevard. They screamed profanities.

Sergeant Chahine gave the ballistic shield to Deputy Roman who joined the approach and arrest team lead by Sergeant Oscar Veloz (214S). The deputies who approached Suspect Robertson gave verbal commands. Upon contact, one deputy moved Suspect Robertson's gun away from him. The team handcuffed Suspect Robertson without any additional force.

Once Suspect Robertson was handcuffed, Sergeant Chahine's attention went to the "rowdy crowd." He estimated the crowd to be in excess of fifty people. Sergeant Chahine directed a deputy to transport Deputies Ochoa-Garcia and Tapia to the station and separate them.

DEPUTY GIOVANNI PATERNO

IAB Interview

On January 31, 2018, Deputy Paterno was interviewed by IAB Sergeants James Jordan and John Steele at the Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Paterno was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. He was assigned as a two person car (214B) which patrolled the Willowbrook and Athens Park area. His radio car partner was Deputy Anthony Roman. Deputy Paterno had been in patrol over two years at the time of this incident.

At approximately 1100 hours, Deputy Paterno heard a voiced call over dispatch of a person with a gun and shooting in the air. Deputy Paterno and Deputy Roman responded Code 3. While in transit, they heard emergent radio traffic saying a deputy had been involved in a shooting. They arrived from the north and traveled southbound Long Beach Boulevard where they stopped approximately 500 feet north of the Arco gas station. Deputy Paterno saw Deputies Ochoa-Garcia and Tapia in the middle of the intersection of Long Beach Boulevard and Magnolia Avenue. Deputy Paterno saw the individual (Suspect Robertson) laying prone in the Arco gas station pump area.

Deputy Paterno described Suspect Robertson's position as prone with his head facing south and his hands tucked underneath him. He heard a deputy yelling Suspect Robertson "has a gun!"

> **IAB Note: Deputy Paterno was the only sworn witness to describe the suspect's head facing south.**

Deputy Paterno helped formulate the plan for the approach and arrest team. The plan included the utilization of a patrol car as cover, a ballistic shield, less lethal force option and lethal force option. Deputy Paterno drove his patrol car toward Suspect Robertson as fellow deputies walked behind the open patrol car doors as cover. Suspect Robertson was given verbal commands to show his hands. Suspect Robertson did not move.

The deputies left the cover of the patrol car and contacted Suspect Robertson. Deputy Paterno controlled Suspect Robertson's left hand and handcuffed it. Deputy Tapia controlled Suspect Robertson's right hand and handcuffed it to the left hand behind his back. Deputy Paterno saw Suspect Robertson's handgun underneath him during the

handcuffing process. He kicked the handgun safely away from Suspect Robertson, with his left foot. It slid approximately five to ten feet to the north of the suspect.

Once Suspect Robertson was secured, paramedics were summoned to treat him.

DEPUTY ANTHONY ROMAN

IAB Interview

On February 26, 2018, Deputy Roman was interviewed by IAB Sergeants James Jordan and Hank Ortega at the Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Roman was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. He was assigned as a two person car (214B) which patrolled the Willowbrook area. His radio car partner was Deputy Giovanni Paterno. Deputy Roman had been in patrol approximately two and a half years at the time of the incident.

At approximately 1100 hours, Deputy Roman heard a voiced call of a person shooting a gun in the air within the Lynwood patrol area. Deputy Roman and Deputy Paterno responded Code 3 to the call. While responding, Deputy Roman heard emergent radio traffic that deputies had been involved in a shooting associated to the call. They approached the incident from the north on Long Beach Boulevard. Deputy Roman and Deputy Paterno parked north of the Arco gas station along the west curb line. Deputy Roman saw Deputy Ochoa-Garcia and Deputy Tapia using one of their patrol cars as cover. Deputy Roman saw the suspect (Suspect Robertson) lying prone on the ground, with his hands underneath his chest, near the eastern most gas pumps at the Arco gas station. Deputy Roman yelled verbal commands to Suspect Robertson, but Suspect Robertson did not move and did not make any verbal sounds.

Deputy Roman met with Sergeant Veloz and several deputies to form an approach team. They utilized cover during the approach and had designated less lethal options. Suspect Robertson was handcuffed without resistance. During the handcuffing, a handgun was found under Suspect Robertson's body. Deputy Paterno kicked the gun away from Suspect Robertson for officer safety.

Paramedics responded to the location and treated Suspect Robertson.

Deputy Roman said the crowd surrounding the scene was comprised of approximately 50 people and was hostile toward the deputies.

DEPUTY MICHAEL ALERICH

IAB Interview

On February 13, 2018, Deputy Alerich was interviewed by IAB Sergeants James Jordan and John Steele at the Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Alerich was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. He was assigned as a two person car (213B) which patrolled the Willowbrook area. His radio car partner and training officer was Deputy Alex Gonzalez. Deputy Alerich had been in patrol approximately six months at the time of the incident.

At approximately 1100 hours, Deputy Alerich and Deputy Gonzalez were in the Lynwood area on a call for service. Deputy Alerich heard emergent radio traffic on the "patch," Century Station deputies had been involved in a shooting. They responded Code 3 to the scene to assist. Upon their arrival, the suspect (Suspect Robertson) was laying prone near the gas pumps of the Arco station property located on the northwest corner on Long Beach Boulevard and Magnolia Avenue. Deputy Alerich was assigned the less lethal stun bag shotgun as part of the approach team. Deputy Gonzalez was assigned the AR-15 and positioned to the north.

> **IAB Note: The "patch" is a Sheriff's Communication Center controlled open two-way frequency utilized for priority or emergent communications.**

Deputy Alerich approached with the other deputies utilizing a patrol vehicle and ballistic shield as cover. Suspect Robertson was not moving, nor was he talking. Suspect Robertson was in a prone position with his hands tucked under his torso. There was no visible handgun. When deputies contacted Suspect Robertson, he did not resist handcuffing. During the handcuffing process, Deputy Alerich saw Suspect Robertson's handgun underneath his torso. Deputy Alerich described the handgun as a semi-automatic. Deputy Alerich did not see the gun moved away from Suspect Robertson or in what direction it was moved.

Once Suspect Robertson was handcuffed, Deputy Alerich assisted with scene and crowd control.

DEPUTY JESUS JIMENES

IAB Interview

On January 20, 2018, Deputy Jimenes was interviewed by IAB Sergeants James Jordan and Hank Ortega at the Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Jimenes was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. He was assigned as a two person car (216A) which patrolled the Firestone and Florence area. His radio car partner and training officer was Deputy Matthew Fitzpatrick. Deputy Jimenes had been in patrol approximately three months at the time of this incident.

While patrolling the Firestone area, at approximately 1100 hours, Deputy Jimenes heard a voiced call over dispatch of a male walking in Lynwood and shooting a gun in the air. Deputy Jimenes did not initially respond to the incident because he remained in his area for calls for service. Approximately thirty minutes later, Deputy Jimenes, along with Deputy Fitzpatrick, responded to the command post and took the handle on the incident. They went to the scene and walked it for overview. They took control of the major incident log. They wrote the SHR-49 and a supplemental report **[EXHIBIT A, pages 1-12].**

DEPUTY MATTHEW FITZPATRICK

IAB Interview

On January 24, 2018, Deputy Fitzpatrick was interviewed by IAB Sergeants James Jordan and John Steele at the Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Fitzpatrick was assigned to day shift ([redacted]) patrol at Century Sheriff's Station. He was assigned as a two person car (216A) which patrolled the Firestone and Florence area. His radio car partner and trainee was Deputy Jesus Jimenes. Deputy Fitzpatrick had been in patrol over eight years at the time of this incident.

While patrolling the Firestone area, at approximately 1100 hours, Deputy Fitzpatrick heard a voiced call over dispatch of a male black shooting a gun. Deputy Fitzpatrick did not initially respond to the incident because he remained in his area for calls for service. Approximately one hour later, Deputy Fitzpatrick, along with Deputy Jimenes, responded to the command post and took the handle on the incident. They went to the scene and walked it for overview. They wrote the SHR-49 and a supplemental report **[EXHIBIT A, pages 1-12]**.

INVOLVED EMPLOYEE RICHARD OCHOA-GARCIA

Homicide Interview

On December 12, 2015, Deputy Richard Ochoa-Garcia #[redacted], was interviewed by Homicide Detectives Judith Luera and Timothy O'Quinn. The interview was summarized in the Homicide Case Book **[EXHIBIT A, pages 35-37]**. The interview was transcribed and placed as a permanent record within the IAB case file.

Homicide Round Count

On December 12, 2015, at 1550 hours, Homicide Detectives Judith Luera and Timothy O'Quinn conducted a round count of Deputy Ochoa-Garcia's firearm (Beretta 92F) at the Century Sheriff's Station.

Homicide Detective Timothy O'Quinn took possession of Deputy Ochoa-Garcia's firearm. He rendered the weapon safe by removing the magazine and clearing a round from the chamber. He read the serial number as BER[redacted]. He described the magazine which had a fifteen round capacity. He counted thirteen live rounds from the magazine, plus one in the chamber, for a total of fourteen rounds.

Detective O'Quinn inspected Deputy Ochoa-Garcia's other magazine which contained fifteen live rounds.

> **IAB Note:** **Deputy Ochoa-Garcia's third magazine was empty and left at the scene of the incident.**

Based on Detective O'Quinn's round count, he determined Deputy Ochoa-Garcia fired seventeen rounds total.

IAB Interview

On December 13, 2017, Deputy Ochoa-Garcia was interviewed by IAB Sergeants James Jordan and Carmen Arballo at Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Ochoa-Garcia was assigned to patrol at Century Sheriff's Station. Deputy Ochoa-Garcia's regular assignment was PM shift, but he worked day shift ([redacted]) on a swap. He was assigned as a one man car (212B) which patrolled the city of Lynwood. While at a [redacted], Deputy Ochoa-Garcia heard dispatch radio traffic requesting a Code 3 response to a man with a gun shooting in the air. With the shortest estimated time of arrival (ETA), Deputy Ochoa-Garcia acknowledge the Code 3 response and received the handle on the incident. Deputy Tapia (212B1) and Deputy Johnson (212T4) were assigned the assist. While responding to the area where the suspect (Suspect Robertson) was last seen, Deputy Ochoa-Garcia received radio updates and coordinated his assisting units on L-Tac.

Based on the call's updates, Deputy Ochoa-Garcia met with Deputy Tapia near the intersection of Long Beach Boulevard and Carlin Avenue. Citizens in the area, pointed out the direction where the suspect was last seen. Deputy Ochoa-Garcia and Deputy Tapia traveled northbound on Long Beach Boulevard in tandem. As they approached Magnolia Avenue, Deputy Ochoa-Garcia saw Suspect Robertson walking southbound on the east sidewalk of Long Beach Boulevard toward Magnolia Avenue. Suspect Robertson matched the description in the call and had a firearm in his hand.

Deputy Ochoa-Garcia stopped his vehicle south of Magnolia Avenue in the northbound lanes of traffic on Long Beach Boulevard. He exited his patrol vehicle with his weapon drawn and took cover behind his vehicle's engine block. Deputy Ochoa-Garcia yelled verbal commands to Suspect Robertson to drop the gun and get on the ground. Suspect Robertson ignored the commands and walked westbound across Long Beach Boulevard. Suspect Robertson walked while shrugging his shoulders and was described as "really animated" and erratic. He "waved off" the deputies as if acknowledging their presence, but refused to acknowledge their commands.

Suspect Robertson continued to walk westbound across Long Beach Boulevard with a handgun in his hand. When he reached the northwest corner, he veered northwest toward a crowded Arco gas station. Deputy Ochoa-Garcia feared Suspect Robertson would injure a citizen or take one hostage. Deputy Ochoa-Garcia left the cover of his patrol vehicle. He aimed his firearm at Suspect Robertson and he followed him. Deputy Ochoa-Garcia continually gave Suspect Robertson verbal commands to stop, and drop the gun. Suspect Robertson ignored the commands. While walking in a northwest direction, Suspect Robertson turned his head and torso toward Deputy Ochoa-Garcia while raising the gun with his left hand across his torso. Deputy Ochoa-Garcia who was approximately twenty-five yards away, feared the "imminent threat of death." Deputy Ochoa-Garcia fired approximately five rounds at Suspect Robertson. As a result, Suspect Robertson fell to the ground and began to army crawl forward with the gun still in his left hand. While Suspect Robertson army crawled, he rolled his body to his left and canted the gun, in his left hand, toward Deputy Ochoa-Garcia. Deputy Ochoa-Garcia feared for his life and that of Deputy Tapia. He fired approximately five rounds at Suspect Robertson in a northwest direction with a block wall as his backdrop.

After Deputy Ochoa-Garcia's second volley of fire, Suspect Robertson continued to army crawl forward with the gun in his left hand. Suspect Robertson pointed the gun to his west and to his east toward civilians. Deputy Ochoa-Garcia feared citizens would be shot and fired approximately five rounds at Suspect Robertson. Suspect Robertson stopped moving with his hands and gun under his chest.

Deputy Ochoa-Garcia requested assistance and a supervisor via radio. He requested fire to stage north of the incident until the scene was rendered safe. Once supervisors and assisting deputies arrived, a plan to approach utilizing a radio car and shield for cover was devised. Additionally, less lethal options were deployed. While slowly approaching Suspect Robertson, verbal commands were given to place his hands out away from his body. Suspect Robertson did not move. The team approached and handcuffed Suspect Robertson. During handcuffing, Deputy Ochoa-Garcia grabbed Suspect Robertson's gun and tossed it approximately two feet north of the suspect.

Deputy Ochoa-Garcia was transported to Century Station and advised not to discuss the incident until interviewed by Homicide Detectives.

INVOLVED EMPLOYEE DEPUTY JASEN TAPIA

Homicide Interview

On December 12, 2015, Deputy Tapia, was interviewed by Homicide Detectives Judith Luera and Timothy O'Quinn. The interview was summarized in the Homicide Case Book **[EXHIBIT A, pages 37-39]**. The interview was transcribed and placed as a permanent record within the IAB case file.

Homicide Round Count

On December 12, 2015, at 1605 hours, Homicide Detectives Judith Luera and Timothy O'Quinn conducted a round count of Deputy Tapia's firearm (Beretta 92F) at the Century Sheriff's Station.

Detective O'Quinn took possession of Deputy Tapia's firearm. He read the serial number as BER[redacted] and locked the slide back. There was no round in the chamber. He viewed the magazine which had a fifteen round capacity. He counted fifteen live rounds from the magazine. At the start of his shift, Deputy Tapia had a round in the chamber and a fifteen round magazine in the gun well. After the round count, it was determined he shot 16 rounds.

Detective O'Quinn identified Deputy Tapia had a total of three magazines pouches on his Sam Brown. The reloaded one in the well, and two completely loaded remaining on his gun belt.

IAB Note: Deputy Tapia's fourth magazine was empty and left at the scene of the incident.

IAB Interview

On July 20, 2017, Deputy Tapia was interviewed by IAB Sergeants James Jordan and [redacted] at Internal Affairs Bureau. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 15, 2015, Deputy Tapia was assigned to patrol at Century Sheriff's Station. Deputy Tapia's regular assignment was day shift [redacted] He was assigned as a one man car (212B1) which patrolled the city of Lynwood. Deputy Tapia had been in patrol approximately fifteen months [redacted] at the time of this incident.

[redacted] Deputy Tapia heard dispatch radio traffic requesting a Code 3 response to a man with a gun. The call stated the man was shooting the gun in the air. Deputy Tapia (212B1) was assigned the assist on the call. He responded Code 3 to the intersection of Carlin Avenue and Long Beach Boulevard. He met Deputy Ochoa-Garcia there. Nearby citizens, who appeared to be in a panic, pointed northbound on Long Beach Boulevard. They were pointing in the last seen direction of the suspect.

Deputy Tapia and Deputy Ochoa-Garcia traveled northbound on Long Beach Boulevard in tandem. As they approached Magnolia Avenue, Deputy Tapia saw Suspect Robertson walking southbound on the east sidewalk of Long Beach Boulevard toward Magnolia Avenue. Suspect Robertson matched the description in the call and had a firearm in his hand.

Deputy Tapia stopped his vehicle south of Magnolia Avenue in the northbound lanes of traffic on Long Beach Boulevard. He exited his patrol vehicle with his weapon drawn. Deputy Tapia gave verbal commands to Suspect Robertson to drop the gun. Suspect Robertson ignored the commands with a blank stare on his face. Suspect Robertson walked westbound across Long Beach Boulevard toward the Arco gas station. He reached the curb and veered northwest toward the crowded Arco gas station.

Deputy Tapia feared Suspect Robertson would "hurt somebody, take somebody hostage, kill somebody." Deputy Tapia left cover and closed the distance to Suspect Robertson. Suspect Robertson continued to walk on the west side walk in a northwest direction. Suspect Robertson bladed his body to the right and pointed his gun with his left hand in the direction of Deputy Tapia. Deputy Tapia fired approximately five rounds at Suspect Robertson. Suspect Robertson continued to walk northbound for a short distance, then fell to the ground. He began to crawl on his hands and knees away from the deputies. While crawling, Suspect Robertson pushed his body up with his right hand and bladed his body toward Deputy Tapia pointing his gun in the direction of Deputy Tapia. Deputy Tapia feared for his life and fired approximately ten rounds at Suspect Robertson in a northwest direction with a block wall as his backdrop.

After Deputy Tapia's second volley of fire, Suspect Robertson continued to crawl forward for a short distance, then fell onto his stomach with his hands underneath him. When Suspect Robertson stopped moving, Deputy Tapia was approximately 20 yards away from him. Deputy Tapia quickly retreated to his radio car and drove it forward into the southbound lanes of traffic on Long Beach Boulevard. Deputies Ochoa-Garcia and Tapia temporarily utilized the radio car as cover until assistance arrived.

IAB Note: Southbound lanes of traffic on Long Beach Boulevard had been stopped by Deputy Johnson or by the vehicles occupants themselves.

Deputy Tapia requested assistance and a supervisor with a shield. He requested fire to stage north of the incident. Once the field sergeant (Sergeant Oscar Veloz) arrived along with assisting deputies, they formed a plan to approach. The plan included less lethal options and a designated arrest team. The team approached behind a radio car and handcuffed Suspect Robertson. During handcuffing, Deputy Tapia grabbed Suspect Robertson's right hand, and two or three live rounds fell from Suspect Robertson's grasp. Once Suspect Robertson was handcuffed, paramedics arrived within seconds to treat him for his wounds.

CIVILIAN WITNESS STATEMENTS

WITNESS [redacted]

Homicide Interview

On February 2, 2016, Homicide Detectives Kevin Acebedo #[redacted] and Phillip Martinez #[redacted] conducted an interview of Los Angeles Police Department (LAPD) Officer [redacted] (Witness). Witness [redacted] had worked for the LAPD for approximately 10 years at the time of the incident. His legal representative, Mr. Randall Quan, was present as well. The interview was summarized within the Homicide book **[EXHIBIT A, pages 70-71]**. The following is a summary of the interview.

On December 12, 2015, at approximately 1100 hours, Witness [redacted] was working at his [redacted], [redacted] located at [redacted] He heard a commotion and looked out of a west facing window. He saw a male black (Suspect Robertson) walking on the sidewalk in front of his store, holding a handgun is his left hand. Witness [redacted] saw deputies arrive at Long Beach Boulevard and Magnolia Avenue.

Suspect Robertson looked in the direction of the deputies and walked westbound across Long Beach Boulevard toward the Arco gas station. Suspect Robertson reached the west sidewalk and turned in a northwest direction. He maintained possession of the gun in his hand. The deputies told Suspect Robertson to "drop the gun." Suspect Robertson raised the gun in his left hand and pointed it in the deputies' direction. The deputies shot at Suspect Robertson. Suspect Robertson fell to the ground and began to crawl northbound. A second volley of shots were fired by the deputies and Suspect Robertson stopped moving. Suspect Robertson continued to hold the gun underneath his upper body as he laid on it.

Witness [redacted] supplied security camera video footage **[EXHIBIT D]** to detectives.

IAB Interview

On February 9, 2018, IAB investigators contacted Witness [redacted] at his place of residence. The interview was audio recorded and transcribed. The following is a summary of the interview.

> **IAB Note:** **Witness [redacted] has been a Los Angeles Police Department (LAPD) Officer for ten years. During the IAB interview, Witness [redacted] advised that his father, [redacted] had passed away months prior. Homicide Detectives spoke with Mr. [redacted] [EXHIBIT A, page 67] on the day of the incident, but he did not indicate he witnessed the shooting personally.**

On December 12, 2015, Witness [redacted] was working at his [redacted], [redacted] located at [redacted] At approximately 1100 hours, Witness [redacted] attention was drawn to the northeast corner of Long Beach Boulevard and Magnolia Avenue, by patrons. He looked out of one of the [redacted] large windows and saw a stocky male black (Suspect Robertson) in his late thirties, holding a semi-automatic handgun in his hand. Suspect Robertson was "throwing his arms," yelling, and appeared "angry."

Initially, Suspect Robertson walked northbound on the east sidewalk of Long Beach Boulevard. Minutes later, Suspect Robertson walked southbound on the east sidewalk toward Magnolia Avenue. Witness [redacted] saw two Los Angeles County Sheriff's Department patrol vehicles parked on Long Beach Boulevard. Two deputies repeatedly yelled at Suspect Robertson to "Drop the gun." Suspect Robertson looked in the deputies direction, but he continued to walk westbound across Long Beach Boulevard. While walking westbound across Long Beach Boulevard, Suspect Robertson transitioned the handgun from his right hand to his left hand.

Suspect Robertson walked completely across the intersection of Long Beach Boulevard and Magnolia Avenue. When he reached the west curb line, he stepped onto the west sidewalk and turned in a northbound direction. Suspect Robertson walked onto the Arco gas station property toward the gas pumps. As he walked northbound, Suspect Robertson brought the handgun to his chest and turned his torso to his left toward the deputies. When Suspect Robertson turned, it caused the handgun to point in the direction of the deputies. The deputies fired approximately ten rounds in a northwest direction, at Suspect Robertson. Suspect Robertson jumped, then limped, and then fell to the ground. Suspect Robertson maintained possession of the handgun and "military" crawled on his stomach northbound. The deputies continued to tell Suspect Robertson to drop the handgun. Suspect Robertson did not comply and continued to military crawl. The deputies shot a second volley of approximately ten rounds at Suspect Robertson.

Witness [redacted] provided [redacted] security camera video footage **[EXHIBIT D]** to Department investigators.

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero contacted [redacted] (Witness) at his residence. The interview was summarized within the Homicide book **[EXHIBIT A, pages 60-61]**. The following is a summary of the interview

At approximately 1100 hours (December 12, 2015), Witness [redacted] was on the way to church with his [redacted], Witness [redacted] and his [redacted], Witness [redacted] They were traveling southbound Long Beach Boulevard approaching Magnolia Avenue.

Witness [redacted] saw deputies following a male black (Suspect Robertson) who was walking westbound across Long Beach Boulevard towards the Arco gas station. The deputies gave Suspect Robertson loud verbal commands. Suspect Robertson turned toward the deputies, but then continued walking northbound. When Suspect Robertson reached the front of the Arco gas station, Witness [redacted] heard several gunshots. Suspect Robertson continued to walk for a short distance then fell to the ground on his stomach with the gun under his chest. Suspect Robertson continued to move around and was shot several more times.

IAB Interview

On February 15, 2018, IAB investigators contacted Witness [redacted] at his place of residence. The interview was audio recorded and transcribed. The following is a summary of the interview.

On December 12, 2015, Witness [redacted] was traveling in his vehicle southbound Long Beach Boulevard with his [redacted] (Witness [redacted] and his [redacted] (Witness [redacted] He saw a male black (Suspect Robertson) walking northbound Long Beach Boulevard on the east side of the street. Suspect Robertson diagonally crossed Long Beach Boulevard at Magnolia Avenue with a gun in his hand. Witness [redacted] saw deputies following Suspect Robertson at a distance. The deputies gave Suspect Robertson loud verbal commands. Suspect Robertson did not comply with the commands.

When Suspect Robertson reached the northwest corner of Long Beach Boulevard and Magnolia Avenue, he walked toward the Arco gas station gas pumps. As he walked toward the gas pumps, Suspect Robertson turned slightly toward the deputies. The deputies fired more than fifteen rounds at Suspect Robertson. Suspect Robertson fell to the ground and crawled with the gun in his hand. As he crawled with the gun in his hand, he turned slightly toward the deputies. The deputies fired again at Suspect Robertson.

Afterward, the deputies approached Suspect Robertson slowly behind a patrol car. Witness [redacted] did not see Suspect Robertson's gun after he stopped crawling. Deputy personnel evacuated Witness [redacted] and his family from their vehicle to the East curb line of Long Beach Boulevard where a crowd had formed.

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero interviewed [redacted] (Witness) in the Century Station Detective Bureau Interview room. Also present during the interview were, Deputy District Attorney Rosa Alarcon, Senior Investigator [redacted] from the District Attorney's Justice System Integrity Division as well as IAB Sergeant Daniel Peacock and James

Jordan. The interview was summarized within the Homicide book **[EXHIBIT A, pages 53-54]**. The following is a summary of the interview

On December 12, 2015, at approximately 1045 hours, Witness [redacted] was walking southbound on the west sidewalk of Long Beach Boulevard north of Magnolia Avenue. He saw two deputies, with aimed handguns, ordering a male black (Suspect Robertson), approximately 35 years of age, to put his hands in the air. Witness [redacted] saw Suspect Robertson had a handgun in his left hand. Witness [redacted] described Suspect Robertson as walking "almost like a zombie."

Witness [redacted] believed a shooting was going to occur, and sought safety inside the Arco mini mart. Once inside, Witness [redacted] ducked his head down and heard several shots. He did not see the shooting.

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero interviewed [redacted] (Witness) in the Century Station Detective Bureau Interview room. Also present during the interview were, Deputy District Attorney Rosa Alarcon, Senior Investigator [redacted] from the District Attorney's Justice System Integrity Division as well as IAB Sergeant Daniel Peacock and James Jordan. The interview was summarized within the Homicide book **[EXHIBIT A, pages 54-55]**. The following is a summary of the interview

On December 12, 2015, Witness [redacted] stopped at the Arco gas station (12131 Long Beach Boulevard, Lynwood) to buy gas. She saw deputies following a male back (Suspect Robertson) with a gun in close proximity to her vehicle. The deputies were yelling at Suspect Robertson as he walked closer to her vehicle. She yelled to her children and friend (Witness [redacted] in her car to duck down as low as possible. Witness [redacted] heard several shots, but did not see the shooting. Witness [redacted] recalled Suspect Robertson had been shot and was lying on the ground.

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero interviewed [redacted] (Witness) in the Century Station Detective Bureau Interview room. Also present during the interview were, Deputy District Attorney Rosa Alarcon, Senior Investigator [redacted] from the District Attorney's Justice System Integrity Division as well as IAB Sergeant Daniel Peacock and James Jordan. The interview was summarized within the Homicide book **[EXHIBIT A, pages 56-57]**. The following is a summary of the interview

On December 12, 2015, Witness [redacted] was with Witness [redacted] in her vehicle, stopped at the Arco gas station (12131 Long Beach Boulevard, Lynwood) to buy gas. While at the pumps, she saw a male black (Suspect Robertson), with a handgun, walking toward their vehicle. Deputies followed him and yelled commands, but Suspect Robertson did not comply. Witness [redacted] saw Suspect Robertson, who she described as agitated and upset, turn and confront the deputies. The deputies fired at Suspect Robertson. She saw and heard the deputies shoot several times.

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero interviewed [redacted] (Witness) in the Century Station Detective Bureau Interview room. Also present during the interview were, Deputy District Attorney Rosa Alarcon, Senior Investigator [redacted] from the District Attorney's Justice System Integrity Division as well as IAB Sergeant Daniel Peacock and James Jordan. The interview was summarized within the Homicide book **[EXHIBIT A, pages 58-59]**. The following is a summary of the interview

On December 12, 2015, Witness [redacted] was with his [redacted] Witness [redacted] in her vehicle stopped at the Arco gas station (12131 Long Beach Boulevard, Lynwood) to buy gas. While at the pumps, Witness [redacted] saw a male black (Suspect Robertson) approximately 35 years of are holding a gun in his hand. He saw deputies following Suspect Robertson. The deputies yelled at Suspect Robertson to drop the gun, but Suspect Robertson did not "listen to them." Witness [redacted] Witness [redacted] yelled for everyone in the car to duck down. Witness [redacted] ducked as low as he could and did not see the deputies shoot at Suspect Robertson.

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero contacted [redacted] (Witness) at her residence. The interview was summarized within the Homicide book **[EXHIBIT A, pages 59-60]**. The following is a summary of the interview.

Witness [redacted] earlier in the day was driving with her [redacted] (Witness [redacted]) and her [redacted] (Witness [redacted] southbound Long Beach Boulevard toward Magnolia Avenue. As she approached Magnolia Avenue, she saw deputies following a male black (Suspect Robertson) with a gun in his left hand. Deputies gave commands for Suspect Robertson to drop the gun, but he ignored them and continued to walk toward the Arco gas station. Witness [redacted] saw Suspect Robertson turn his head toward the deputies while holding the gun near his chest. When he did, the deputies fired at him from approximately 15 feet away.

IAB Note: **IAB investigators went to the home of Witness [redacted] and Witness [redacted] on February 15, 2018. Witness [redacted] was out of town. Investigators left a business card with Witness [redacted] who was interviewed, and requested Witness [redacted] contact them upon her return. Additionally, a certified letter addressed to Witness [redacted] was sent. At the time this was authored, there has been no response.**

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero contacted [redacted] (Witness) at her residence. The interview was summarized within the Homicide book **[EXHIBIT A, pages 61-62]**. The following is a summary of the interview

Earlier in the day, Witness [redacted] was driving to church with her [redacted], Witness [redacted] and Witness [redacted]

While traveling southbound Long beach Boulevard at Magnolia Avenue, she saw deputies with their guns drawn following a male black (Suspect Robertson) who had a gun in his left hand. Suspect Robertson held the gun with his left arm bent at the elbow at mid-chest level. The deputies ordered Suspect Robertson to put the gun down several times. Suspect Robertson did not comply. When Suspect Robertson reached the Arco gas station property, he turned toward the deputies and deputies fired at him.

Suspect Robertson attempted to walk, but fell to the ground. Witness [redacted] believed Suspect Robertson maintained possession of the gun while he was on the ground. The deputies continued to yell at Suspect Robertson to drop the gun.

WITNESS [redacted]

Homicide Interview

On December 16, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero contacted [redacted] (Witness) at his residence. The interview was summarized within the Homicide book **[EXHIBIT A, pages 62-63**]. The following is a summary of the interview

Witness [redacted] recalled driving southbound Long Beach Boulevard with his family on December 12, 2015, at approximately 1100 hours. He saw deputies aiming their handguns at a male black (Suspect Robertson) and telling him to put the gun down. Witness [redacted] did not recall seeing anything in Suspect Robertson's hands.

Witness [redacted] described Suspect Robertson as appearing to be on drugs, as he ignored the deputies' commands to put the gun down. When Suspect Robertson reached the west sidewalk in front of the Arco gas station, the deputies began shooting. Witness [redacted] did not see the deputies shoot because he was focused on Suspect Robertson. Witness [redacted] heard approximately 25 shots fired. Witness [redacted] saw Suspect Robertson's hands clutched in front of him even when he fell to the ground and began to crawl. He did not know if anything was in Suspect Robertson's hands.

WITNESS [redacted]

Homicide Interview

On December 16, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero contacted [redacted] (Witness) at her residence. The interview was summarized within the Homicide book **[EXHIBIT A, pages 63-64]**. The following is a summary of the interview

Witness [redacted] recalled driving southbound Long Beach Boulevard with her [redacted], Witness [redacted], and her family on December 12, 2015.

Witness [redacted] saw deputies following a male black (Suspect Robertson) holding a gun in his left hand. Suspect Robertson was waiving the gun around with the barrel pointed down as he walked away from the deputies.

The deputies yelled at Suspect Robertson to put the gun down. Suspect Robertson did not comply and continued to walk away from the deputies. When Suspect Robertson reached the sidewalk near the Arco gas station, he raised the gun, and deputies fired at him. Suspect Robertson hopped and then fell to the ground with the gun in his hand. He crawled with the gun in front of his chest beneath his body. The deputies fired again at Suspect Robertson who then stopped moving.

WITNESS [redacted]

Homicide Interview

On December 16, 2015, Homicide Detectives Raymond Lugo and Sergeant Marcelo Quintero contacted [redacted] (Witness) at her place of employment, Arco gas station located at 12131 Long Beach Boulevard. The interview was summarized within the Homicide book **[EXHIBIT A, pages 64-65].** The following is a summary of the interview.

On December 12, 2015, at approximately 1100 hours, Witness [redacted] was at work behind the counter. A male black entered the store and said to get down. She looked out the store window and saw deputies had their guns aimed at a male black (Suspect Robertson) standing next to gas pump #6. Upon seeing this, Witness [redacted] ran to

the supply room and ducked down. She heard many shots fired, but did not see who shot.

WITNESS [redacted]

Homicide Interview

On December 12, 2015, Homicide Detectives Kevin Acebedo #[redacted] and Phillip Martinez #[redacted] contacted [redacted](Witness) at his place of employment, [redacted], located at [redacted]Boulevard. The interview was summarized within the Homicide book **[EXHIBIT A, pages 69]**. The following is a summary of the interview

Witness [redacted] was inside his store when he heard gunfire from outside his store. He looked out the front door and saw deputies firing in a northwest direction. He did not see what or who they were firing at. He did not see any police cars at the time of the incident.

Homicide Bureau interviewed the following civilian witnesses who heard gunfire, but did not visually witness anyone firing a weapon.

[redacted] **[EXHIBIT A, page 67]**.

[redacted] **[EXHIBIT A, page 67]**.

[redacted] **[EXHIBIT A, page 68]**.

[redacted] **[EXHIBIT A, page 68].**

[redacted] **[EXHIBIT A, page 68].**

[redacted] **[EXHIBIT A, page 68]**.

[redacted] **[EXHIBIT A, page 69]**.

[redacted] **[EXHIBIT A, page 69]**.

Homicide Bureau interviewed the following civilian witnesses who did not hear or see gun shots.

[redacted] **[EXHIBIT A, page 68]**.

[redacted] **[EXHIBIT A, page 68]**.

[redacted] **[EXHIBIT A, page 68].**